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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT TACOMA

11                  CARLOS WILLIAMS,

12                  Plaintiff,

13                  v.

14                  LORI LAWSON, et al.,

15                  Defendants.

16                  CASE NO. C21-5536 MJP

17                  ORDER DENYING MOTION TO  
18                  COMPEL KIOSK MESSAGES

19                  This matter comes before the Court on Plaintiff's Motion to Compel Kiosk Messages.

20                  (Dkt. No. 120.) Having reviewed the Motion, Defendants' Response (Dkt. No. 142), and all  
21                  supporting materials, the Court DENIES the Motion.

22                  The Local Civil Rule require the parties to meet and confer prior to filing a motion to  
23                  compel and to file a certification that they have done so. See Local Civil Rule 37(a)(1).  
24                  Plaintiff has not demonstrated that he met and conferred with Defendants about his request  
25                  concerning kiosk messages. Plaintiff's failure to do so is not explained or acceptable. The Court  
26                  DENIES the Motion for failure to comply with this requirement.

1 Plaintiff must meet and confer with Defendants to attempt to resolve this dispute. Even if  
2 the Court were to excuse Plaintiff's non-compliance with this rule, it would be unable to  
3 decipher what materials are sought and whether they should be produced.

4 The Court's denial is WITHOUT PREJUDICE. After meeting and conferring with  
5 counsel for Defendants, Plaintiff may file a renewed motion to compel these kiosk messages if  
6 he believes that have been wrongly withheld or redacted. Any such motion must contain a  
7 certification that shows compliance with Local Civil Rule 37(a)(1). Failure to do so may serve as  
8 grounds to deny any such motion.

9 The clerk is ordered to provide copies of this order to Plaintiff and all counsel.

10 Dated April 10, 2023.

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12 Marsha J. Pechman  
United States Senior District Judge

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